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10 Attorneys for Plaintiff  
11 WAYNE SKILES

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION  
15

16 WAYNE SKILES,  
17 Plaintiff,

18 v.

19 TESLA, INC., EXPERIAN INFORMATION  
20 SOLUTIONS, INC., and SALESFORCE  
21 VENTURES, LLC,

22 Defendants.  
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TESLA, INC.

*Additional attorneys for Defendants are  
listed on signature page*

Case No. 3:17-cv-05434-WHO

**STIPULATION TO CONTINUE HEARING  
AND FOR BRIEFING SCHEDULE FOR  
DEFENDANTS TESLA, INC.'S AND  
EXPERIAN INFORMATION SOLUTIONS,  
INC.'S MOTIONS TO DISMISS  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT AND [PROPOSED] ORDER**

Judge: Hon. William H. Orrick

1 Pursuant to Civil Local Rules 6-1(a) and (b), plaintiff Wayne Skiles (“Plaintiff”) and  
2 Defendants Tesla, Inc. (“Tesla”) and Experian Information Solutions, Inc. (“Experian”), by and  
3 through their respective counsel, hereby stipulate as follows:

4 WHEREAS, Plaintiff filed his First Amended Complaint against Defendants in the Northern  
5 District of California on or about December 22, 2017 (Dkt. No. 61) (the “First Amended Complaint”);

6 WHEREAS, Tesla filed a Motion to Compel Arbitration and to Stay Plaintiff’s First Amended  
7 Complaint, or, alternatively, to Dismiss Plaintiff’s First Amended Complaint on January 24, 2018  
8 (Dkt. No. 64);

9 WHEREAS, Plaintiff filed an Opposition to Defendant Tesla, Inc.’s Motion to Compel  
10 Arbitration and Dismiss or Stay Plaintiff’s First Amended Complaint on March 7, 2018 (Dkt. No. 70)  
11 (the “Original Opposition”);

12 WHEREAS, Tesla submitted its Reply in Support of its Motion to Compel Arbitration and to  
13 Stay Plaintiff’s First Amended Complaint, or, Alternatively, to Dismiss Plaintiff’s First Amended  
14 Complaint on April 4, 2018 (Dkt. No. 73) (the “Original Reply”);

15 WHEREAS, the Court granted Tesla’s Motion to Compel and stayed the proceedings against  
16 Defendants on May 16, 2018 (Dkt. No. 76);

17 WHEREAS, Plaintiff filed a Motion to Lift the Stay wherein it requested an opportunity for  
18 the parties to submit new briefing on the motions to dismiss on October 7, 2019 (Dkt. No. 91);

19 WHEREAS, on November 6, 2019, the Court issued an Order (Dkt. No. 98) granting Plaintiffs’  
20 Motion to Lift the Stay; requiring Experian to file a response to the First Amended Complaint within  
21 twenty-one (21) days of the Order; permitting Plaintiff to file a revised opposition to Tesla’s Motion  
22 to Dismiss (Dkt. No. 64) (the “Supplemental Opposition”) not to exceed ten (10) pages on the same  
23 day its response to Experian’s motion is due; and permitting Tesla to file a reply in support of its  
24 motion to dismiss (the “Supplemental Reply”) not to exceed ten (10) pages two weeks thereafter;

25 WHEREAS, Plaintiff and Tesla understand that the Supplemental Opposition and  
26 Supplemental Reply are supplemental to and will be considered in conjunction with the Original  
27 Opposition (Dkt. No. 70) and Original Reply (Dkt. No.73);

28 WHEREAS, Experian filed a Motion to Dismiss Plaintiff’s First Amended Complaint on

1 November 27, 2019 and noticed a hearing for that motion for January 15, 2020 (Dkt. No. 99);

2 WHEREAS, Plaintiff's opposition to Experian's motion to dismiss and Supplemental  
3 Opposition to Tesla's motion to dismiss are currently due December 11, 2019;

4 WHEREAS, Experian's reply in support of its motion to dismiss is currently due December  
5 18, 2019;

6 WHEREAS Tesla's Supplemental Reply in support of its motion to dismiss is currently due  
7 December 26, 2019;

8 WHEREAS, the parties have agreed to a briefing and hearing schedule that will allow for a  
9 more complete and orderly presentation of the disputed issues and that will avoid holiday conflicts  
10 created by the original schedule;

11 NOW THEREFORE, the parties hereby STIPULATE and AGREE as follows, through their  
12 undersigned counsel:

- 13 1. Plaintiff opposition to Experian's motion to dismiss and Supplemental Opposition to  
14 Tesla's motion to dismiss will be due on January 3, 2020;
- 15 2. Experian's reply in support of its motion to dismiss and Tesla's Supplemental Reply in  
16 support of its motion to dismiss will be due on January 31, 2020;
- 17 3. The hearing on Defendants' motions to dismiss will be continued to February 19, 2020 or  
18 as soon thereafter as is convenient for the Court.

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20 **IT IS SO STIPULATED.**  
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1 Dated: December 3, 2019

**KAZEROUNI LAW GROUP, APC**

2  
3  
4 /s/ Jason Ibey

5 Jason Ibey  
6 Attorneys for Plaintiff  
7 WAYNE SKILES

8 Dated: December 3, 2019

**COOLEY LLP**

9 /s/ Jeffrey M. Gutkin

10 Jeffrey M. Gutkin  
11 Attorneys for Defendant  
12 TESLA, INC.

13 Dated: December 3, 2019

**JONES DAY**

14 /s/ John A. Vogt

15 John A. Vogt  
16 Attorneys for Defendant  
17 EXPERIAN INFORMATION SOLUTIONS, INC.  
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**ORDER**

The Court, having considered the parties' Stipulation to Continue Hearing and for Briefing Schedule for Defendants Tesla, Inc.'s and Experian Information Solution, Inc.'s Motions to Dismiss Plaintiff's First Amended Complaint, hereby extends Plaintiff's deadline to oppose Experian's motion to dismiss and file his supplemental opposition to Tesla's motion to dismiss to January 3, 2020; extends Experian's deadline to reply in support of its motion to dismiss and Tesla's deadline to file a supplemental reply in support of its motion to dismiss to January 31, 2020; orders that Plaintiff's supplemental opposition and Tesla's supplemental reply be considered in conjunction with the original opposition (Dkt. No. 70) and original reply (Dkt. No.73); and continues the hearing for Defendants' motions to dismiss to February 19, 2020.

**PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

Dated: December 9, 2019

  
\_\_\_\_\_  
The Honorable William H. Orrick  
United States District Judge

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